

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

DAVID S. YARNALL, )  
                          )  
Plaintiff,            )  
                          )  
v.                     )       C.A. No.: 05-527-SLR  
                          )  
CPL. ANTHONY MENDEZ, DELAWARE )  
STATE POLICE - TROOP 7, and    )  
MILLSBORO POLICE DEPARTMENT,    )  
                          )  
Defendants.            )  
                          )

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6<sup>th</sup> day of December, 2005,  
a copy of DEFENDANT MILLSBORO POLICE DEPARTMENT'S MOTION TO  
DISMISS AND MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT  
THEREOF and DEFENDANT MILLSBORO POLICE DEPARTMENT'S MOTION FOR  
LEAVE TO FILE A MEMORANDUM OF POINTS AND AUTHORITIES IN LIEU OF  
AN OPENING BRIEF was sent by first class mail to:

David S. Yarnall  
Botetourt County Jail  
P.O. Box 370  
Fincastle, VA 24090

and was electronically filed with the Clerk of the Court using  
CM/ECF which will send notifications of such filing(s) to counsel  
listed below:

Michael W. Tupman, Esquire  
Department of Justice  
102 West Water Street  
Dover, DE 19904-6750

**AKIN & HERRON, P.A.**

/s/ Bruce C. Herron

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Millsboro Police Department

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